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2858

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dmitri Routkevitch

Serial No. 10/004,258

Filed: October 24, 2001

For: NANOSTRUCTURED
CERAMIC PLATFORM FOR
MICROMACHINED DEVICES AND
DEVICE ARRAYS

Group Art Unit: 2858

Examiner: Evan T. Pert

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Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

- Response to Restriction Requirement and Preliminary Amendment Under 1.121
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12-12-02

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Dmitri Routkevitch, et al.

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Filed: October 24, 2001

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Examiner: Pert, E.

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RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT UNDER 1.121

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Response is filed in response to the Restriction Requirement mailed on November 6, 2002. Applicants request reconsideration of their application as follows:

IN THE CLAIMS:

1. Please cancel claims 3-5, 13-16, 21-26, 28, and 30-33, without prejudice or disclaimer of the subject matter therein.
2. Please amend claims 1-2, 6, 11-12, 17-20, 27-29, without prejudice or disclaimer of the subject matter therein, according to the attached sheets.
3. Please add new claims 38-48 according to the attached sheets.

REMARKS:

In the Office Action dated November 6, 2002, the Examiner restricted claims 1-37 as Species I, claims 1-33, drawn to a device and a method of

making said device, and Species II, claims 34-37, drawn to a method of using a sensor. Species I is elected without traverse.

In this Preliminary Amendment, claims 3-5, 13-16, 21-26, 28, and 30-33, all directed to Species I are cancelled. Claims 1-2, 6, 11-12, 17-20, 27-29, all directed to Species I are amended, in order to more clearly set forth their invention. By way of this Preliminary Amendment, new claims 38-48 are added. Claims 38-47 present new dependent claims and claim 48 presents a new independent claim. All new claims are drawn to elected Species I.

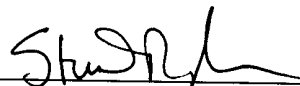
None of the amendments to claims 1-2, 6, 11-12, 17-20, 27-29 nor the new claims 38-48 present new matter. Support for the amendment in Claim 27 reciting "surfaces" can be found throughout the Specification including on pages 10 and 11. Support for new claims 38-48 can be found as follows: support for claim 38 can be found on page 15; claim 39 on page 17; claim 40 on page 15, lines 1-3; claims 41-47 on page 24, and claim 48 on page 18. Support for all other claim amendments and new claim 48 can be found in the originally filed claims themselves and throughout the specification.

In view of the above amendments, claims 1-2, 6-12, 17-20, 27-29, and new claims 38-48 are believed to be allowable, and such action is respectfully requested. This amendment adds nine new dependent claims and one new independent claim. We believe no fee is due. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

Signed on

12/2/02



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